Vacant posts in courts

380. SHRI RAJKUMAR DHOOT: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that there are large number of vacancies of High Courts and Session Court Judges in the country;

(b) if, so, the details of vacant posts in different Benches particularly where the vacancies have lasted for more than six months;

(c) the reasons for not filling up the vacancies in time; and

(d) the quantum of pending cases attributable to the vacancies in High Courts and Session Courts?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) The details of vacant posts in the High Courts and District and Subordinate Courts are given in Statement I & II (*See* below).

(c) Pursuant to the Supreme Court Judgement of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of Judges of a High Court lies with the Chief Justice of that High Court. The Government has, however, been requesting the Chief Justices of the High Courts, Chief Ministers and the Governors of the States, from time-to-time, to initiate proposals for filling up of the present and vacancies anticipated during the next six months.

Under Article 235 fo the Constitution of India, the administrative control over the Members of the subordinate judiciary in the States vests with the concerned High Court and the State Government. Filling up of the vacant posts of judges/Magistrates in Subordinate Courts is the concern of the respective High Courts and the State Governments.

(d) As per the available information, 25285982 cases were pending in the District and Subordinate Courts as on 30.09.2007. On the same date a total of 37,00,223 cases were pending in 21 High Courts.

Statement-I

The number of vacancies in High Courts as on 27.2.2008

Sl. No.	Name of the Court	Sanctioned Strength	Working Strength	Vacancies
1	2	3	4	5
1.	Allahabad	95	68	27
2.	Andhra Pradesh	39	30	9
3.	Bombay	61	52	9
4.	Calcutta	50	40	10
5.	Chhattisgarh	8	7	1
6.	Delhi	36	32	4
7.	Gunahati	23	22	1
8.	Gujarat	42	31	11
9.	Himachal Pradesh	9	9	0

2	3	4	5
10. Jammu & Kashmir	14	10	4
11. Jharkhand	12	9	3
12. Karnataka	40	38	2
13. Kerala	29	25	4
14. Madhya Pradesh	42	42	0
15. Madras	46	45	1
16. Orissa	20	18	2
17. Patna	31	28	3
18. Punjab & Haryana	41	41	0
19. Rajasthan	40	34	6
20. Sikkim	3	2	1
21. Uttarakhand	9	8	1
TOTAL :	690	591	99

Statement-II

The number of vacancies in District and Subordinate Courts as on 30.09.2007

Sl. No.	Concerned State/ Union Territorty	Sanctioned Strength	Working Strength	Vacancies
1	2	3	4	5
1.	Uttar Pradesh	2172	1659	513
2.	Andhra Pradesh	869	694	175
3a.	Maharashtra	1715	1509	206
3b.	Goa	49	38	11
4.	West Bengal and A & N Islands	706	556	150
5.	Chhattisgarh	241	223	18
6.	Delhi	415	322	93
7.	Gujarat	952	791	161
8a.	Assam	289	254	35
8b.	Meghalaya	9	5	4
8c.	Tripura	80	59	21
8d.	Manipur	34	27	7
8e.	Nagaland	25	24	1
8f.	Mizoram	43	23	20
8g.	Arunachal Pradesh	339	300	39
9.	Himachal Pradesh	126	115	11
10.	Jammu and Kashmir	202	176	26
11.	Jharkhand	503	437	66
12.	Karnataka	863	646	217

1	2	3	4	5
13a.	Kerala	429	411	18
13b.	Lakshadweep	3	3	0
14a.	Tamil Nadu	765	672	93
14b.	Puducherry	20	15	5
15.	Madhya Pradesh	1221	911	310
16.	Orissa	484	394	90
17.	Bihar	1361	820	541
18a.	Punjab	328	270	58
18b.	Haryana	308	240	68
18c.	Chandigarh	20	20	0
19.	Rajasthan	820	684	136
20.	Sikkim	15	9	6
21.	Uttarakhand	266	132	134
	TOTAL:	15672	12439	3233

Guidelines for Public Interest Litigations

381. SHRI SHANTARAM LAXMAN NAIK: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court of India has framed any guidelines for entertaining Public Interest Litigations;

(b) if so, the types of petitions which can be entertained in the apex court under the guidelines;

(c) whether Government has been consulted in the matter; and

(d) if not, whether it was not mandatory under the provisions of the Constitution and the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) Information is being collected from the Registry of the Supreme Court and would be laid on the Table of the House.

Setting up of Mobile Courts

382. SHRI TARIQ ANWAR:
SHRIMATI SUPRIYA SULE:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether in a move to take justice to the doorsteps of people, Government has decided to take forward the proposal to set up mobile courts at the panchayat level across the country to establish a quick and efficient system of judiciary at the grassroot level;

(b) if so, by when a final decision in this regard is likely to be taken;